

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KATELYN WHITTEMORE,

Case No. 2:19-cv-01951-GMN-EJY

Plaintiff,

V.

ANDERSON FINANCIAL SERVICES, LLC,
et al.,

Defendants.

ORDER

10 Before the Court is Plaintiff's Motion to Enlarge Time for Service of Process upon Defendant
11 Michael Bowman. ECF No. 77. No response to Plaintiff's Motion was filed. This allows the Court
12 to grant Plaintiff's Motion pursuant to Local Rule 7-2(d) (the "failure of an opposing party to file
13 points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a
14 motion for attorney's fees, constitutes a consent to the granting of the motion.").

15 Further, Fed. R. Civ. P. 4(m) states that if a plaintiff shows “good cause” for the failure to
16 serve a defendant within 90 days after the complaint is filed, “the court must extend the time for
17 service for an appropriate period.” Generally, good cause is demonstrated “where a plaintiff has
18 shown diligent efforts to effect service.” *Mitchell v. City of Henderson*, Case No. 2:13-cv-01154-
19 APG-CWH, 2015 WL 427835, at *7 (D. Nev. Feb. 2, 2015). Courts enjoy substantial discretion to
20 enlarge the time for service “even if there is no good cause shown.” *Henderson v. U.S.*, 517 U.S.
21 654, 662 (1996) (internal citation and quotation marks omitted).

22 Here, Plaintiff explains that she has diligently “performed background searches” on
23 Defendant Bowman, but has been unable to locate him. More specifically, “Plaintiff attempted to
24 locate [Bowman] through the local telephone company, real and personal property, voter’s
25 registration and nationwide social security number database, and no current information was found.”
26 ECF No. 77 at 4 (internal citation omitted). Based on the above, Plaintiff requests an additional 60
27 days to effect service of process on Defendant Bowman. *Id.* at 3.

1 Accordingly, and with good cause shown,

2 IT IS HEREBY ORDERED that Plaintiff's Motion to Enlarge Time for Service of Process
3 (*id.*) is GRANTED.

4 IT IS FURTHER ORDERED that Plaintiff shall have up until and through **April 26, 2021** to
5 effect service of process upon Defendant Michael Bowman.

6 DATED THIS 24th day of February, 2021.

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10 ELAYNA J. YOUCRAH
11 UNITED STATES MAGISTRATE JUDGE
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